

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,)
vs.)
Plaintiff,)
)
)
)
**CHRIS GILKEY,)
vs.)
Defendant.)****

Case No. 12 -CR-30129-MJR

ORDER

REAGAN, District Judge:

Before the Court is the Government's motion to consolidate for sentencing two cases currently pending against Defendant Chris Gilkey (a.k.a. Christopher J. Gilkey): *United States v. Chris Gilkey*, 12-CR-30129-MJR, and *United States v. Christopher J. Gilkey*, 12-CR-30304-MJR (Doc. 50). Defendant Gilkey has filed formal notice that he has no objection to the proposed consolidation (Doc. 53).

On May 24, 2012, a grand jury in the Southern District of Illinois returned a one-count Indictment charging Chris Gilkey, with conspiracy to commit mail and wire fraud in violation of 18 U.S.C. §1349 and 18 U.S.C. § 2326: *United States v. Chris Gilkey*, 12-CR-30129-MJR.

On October 1, 2012, an Information was filed in the Southern District of Florida: *United States v. Christopher J. Gilkey*, No. 12-8018-CR. The Information charged Gilkey with a single count of conspiracy to commit mail and wire fraud in violation of 18 U.S.C. § 1349. On October 18, 2012, a Consent to Transfer Case for Plea and Sentence Pursuant to Federal Rule of Criminal Procedure 20 was filed in the Southern District of Florida, and on October 23, 2012,

United States District Judge Kenneth L. Ryskamp transferred case number 12-80189-CR to the Southern District of Illinois, where the case was docketed as case number 12-CR-30304-MJR.

Both case 12-CR-30129-MJR and case 12-CR-30304-MJR allege violations of 18 U.S.C. § 1349 arising from Gilkey's employment with two fraudulent timeshare resale telemarketing companies that operated in Florida. Thus, Gilkey's two offenses are factually and logically related, and joint sentencing—effectively entering one sentence for both convictions—is appropriate. *See United States v. Best*, 250 F.3d 1084, 1095 (7th Cir. 2001); *United States v. Buford*, 201 F.3d 937, 940 (7th Cir. 2000); *United States v. Stalbaum*, 63 F.3d 537, 539 (7th Cir. 1995); *United States v. Russell*, 2 F.3d 200, 204 (7th Cir. 1993).

For the reasons stated, the Government's motion to consolidate 12-CR-30129-MJR and 12-CR-30304-MJR for sentencing (Doc. 50) is **GRANTED**. The Government's two cases against Defendant Gilkey, 12-CR-30129-MJR and 12-CR-30304-MJR, are hereby **CONSOLIDATED** for sentencing. Accordingly, the Court hereby **AUTHORIZES** the preparation of a consolidated Presentence Report.

A single, unified judgment will be prepared, which will be entered in each case. However, the judgment will reflect the offense conduct, and penalties associated with each individual case. The judgment in each case will ultimately be transmitted to the Bureau of Prisons.

The Clerk of Court shall enter a copy of this order in both cases.

IT IS SO ORDERED.

DATED: January 17, 2013

s/ Michael J. Reagan

MICHAEL J. REAGAN
UNITED STATES DISTRICT JUDGE